

Harry L. Bierley,	:	The United States District Court
Plaintiff	:	Western District of Pennsylvania
V	:	
Jo Anne B. Barnhardt,	:	Civ. Act. 007E of 2005
Commissioner of Social Security,	:	Judge Sean Mc Laughlin
Defendant	:	Mag Judge Susan Paradise Baxter

Motion For Leave To File Appeal
In Forma Pauperis With Affidavit

And now comes the Plaintiff, Harry L. Bierley, before the Honorable Court to request permission to file appeal of the order dated 7/27/05 in forma pauperis, as, he cannot afford to pay the \$255.00 appeal fee, and, per the attached Notice of Appeal, an interlocutory appeal is fully justified, as, the medical records are essential to justiciable consideration.

I, Harry L. Bierley am the appellant in the above captioned case, and, I declare that I am unable to pay the appeal fees due to my poverty, and, I am unable to give security or deposit therefor. I believe I am entitled to redress for violations of my Constitutional Rights to due process of law and the right to have exculpatory evidence disclosed that will prove that I was essentially kidnapped in the related criminal case at CP 38 of 90.

I affirm under penalties of perjury per 28 U.S.C. 1746, Unsworn Declarations Under Penalty of Perjury, that the assets and moneys owed listed below are a true and accurate depiction of my financial status.

My only income is 1113.70 dollars per month Social Security Disability.

My set monthly payments are on average:

Medicare Deduction	\$78	Medicare Co-pays	\$50
Vets Hospital Co-pay	50	House Taxes	106
Water	17	Sewer and Refuse	23
Electric	45	Legal Expenses	50
Car Insurance	75	Total Aprpx.	\$504/mo.

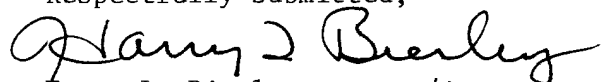
My home at 314-316 Poplar St. is supposedly worth \$25000, but, it is in habitable due to squatters who trashed the place and did NOT pay any rent for their stay. My 1988 Plymouth is worth about \$500.

I have a CD worth \$1353 and another that is confiscated for loan security worth aprox. \$5000, and, I owe: Credit Card One, \$407, Credit Card Two, \$577, Social Security Repay owed, \$8113, and PNC Bank Line of Credit Loan, \$8612.

Wherefore, I move the Honorable Court to grant me IFP status to appeal the order dated 7/27/05. It Is So Prayed.

Dated: Aug. 8, 2005

Respectfully submitted,


Harry L. Bierley, pro se/in pro per